

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**NOREEN SALAZAR, Individually and as
Wrongful Death Personal Representative of
THE ESTATE OF JOSEPH PORTILLO,**

Plaintiffs,

vs.

Civ. No. 12-714 MV/ACT

**HARCO NATIONAL INSURANCE
COMPANY, GINA BOCANEGRA,
MICHAEL MOST TRUCKING, INC., an
Arizona for-profit corporation, and
DESERT TRAILER SYSTEMS, INC., an
Arizona for-profit corporation,**

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

THIS MATTER comes before the Court on the Report and Recommendation of United States Magistrate Judge Alan C. Torgerson, filed December 14, 2012 [Doc. No. 38], regarding Defendant Gina Bocanegra's Motion to Remand [Doc. No. 7], Plaintiff Noreen Salazar's Motion to Remand [Doc. No. 11], and Defendant Michael Most Trucking, Inc.'s Motion to Remand [Doc. No. 12.] Objections were due on December 31, 2012. The parties did not file any objections.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation [Doc. No. 38] is adopted and that:

1. Defendant Gina Bocanegra's Motion to Remand is denied;
2. Plaintiff Noreen Salazar's Motion to Remand is denied;

3. Defendant Michael Most Trucking, Inc.'s Motion to Remand is denied; and
4. This Court will retain jurisdiction over this declaratory judgment action.

A handwritten signature in black ink, appearing to read 'M. Vázquez', is positioned above a horizontal line.

MARTHA VÁZQUEZ
United States District Judge